

Doc Code: VNUS-57470

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PTO/SB/21 (09-04)  
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

Pat. No. 6,969,388

Filing Date

April 23, 2001

First Named Inventor

Goldman, et al

Art Unit

3739

Examiner Name

Rosiland Rollins

Attorney Docket Number

VNUS-57470

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment / Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Response to Missing Parts/Incomplete Application



Reply to Missing Parts under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a Provisional Application



Power of Attorney, Revocation Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board of Appeals and Interferences



Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify below):

Request for Certificate of Correction; Certificate of Correction and postcard

Remarks

**Certificate****APR 06 2006****of Correction****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Fulwider Patton LLP

Signature

Printed name

James Juo

Date

3/31/06

Reg. No.

36,177

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

James Juo

Date

March 31, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		<b>Complete if Known</b>	
<b>FREE TRANSMITTAL for FY 2006</b>		Application Number	Pat. No. 6,969,388
		Filing Date	April 23, 2001
		First Named Inventor	Goldman, et al.
		Examiner Name	Rosiland Rollins
		Art Unit	3739
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	VNUS-57470
TOTAL AMOUNT OF PAYMENT (\$)		\$100.00	

**METHOD OF PAYMENT** (check all that apply)
☒ Check    ☐ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account    Deposit Account Number: 06-2425    Deposit Account Name: Fulwider Patton

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below    ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or any underpayments of fee(s) under 37 CFR 1.16 and 1.17    ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____ - 20 or HP = _____	x _____	\$25.00	= \$0.00

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____ - 3 or HP = _____	x _____	\$100.00	= \$0.00

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
_____ - 100 = _____	0	/ 50 _____ 0 (round up to a whole number) x	\$125.00	= \$0.00

**4. OTHER FEE(S)**

Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Certificate of Correction

\$100.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	36,177	Telephone	310 824-5555
Name (Print/Type)	James Juo	Date	3/31/06		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APR - 6 2006



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

ARTHUR W. ZIKORUS

Patent No.: 6,969,388 B2

Issued: November 29, 2005

Serial No: 09/841,664

Filed: April 23, 2001

For: APPARATUS FOR APPLYING  
ENERGY TO BIOLOGICAL TISSUE  
INCLUDING THE USE OF  
TUMESCENT TISSUE  
COMPRESSION

Examiner: Rosalind Rollins

Group Art Unit: 3739

Client ID/Matter No: VNUS 57470

March 31, 2006

Los Angeles, California

REQUEST FOR CERTIFICATE OF CORRECTION

Certificate of Correction Department  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The above-identified patent has been found to have the errors set forth in the enclosed Certificate of Correction. It is requested that this Certificate of Correction be issued and returned to us. Since these errors occurred in the final printing phase of the patent and in the final application, a check in the amount of \$100.00 is enclosed to

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APR - 6 2006

cover the necessary fees. Should the Office determine that additional fees are needed, please charge Deposit Account No. 06-2425.

The errors are verifiable in the patent application file as follows:

**ERROR**

**APPLICATION FILE**

Title Page, Item (75), delete "Mitchel P. Goldman, La Jolla, CA (US); Robert A. Weiss, Baltimore, MD (US); James G. Chandler, Boulder, CO (US)" and insert -- Arthur W. Zikorus, San Jose, CA--.

Petition to Correct Inventorship entered on June 15, 2005. See Attachment.

Column 9, line 43, delete "In a" and insert --A--.

Applicant error.

Column 9, line 51, delete "crosssectional" and insert --cross-sectional--.

Printing error.

Column 17, line 25, delete "embodiments" and insert --embodiment--.

Applicant error.

These errors occurred in good faith and correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination. It is requested that a Certificate of Correction be issued and returned to us.

Attached hereto, in duplicate, is Form PTO-1050, with at least one copy being suitable for printing.

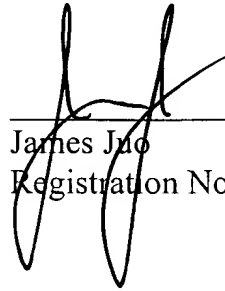
APR - 6 2006

A duplicate of this document is attached.

Respectfully submitted,

FULWIDER PATTON LLP

By:



James Jio  
Registration No. 36,177

JJ:ck  
Enclosures

Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24201

118706.1

APR - 6 2006



**Response to Rule 312 Communication**

Application No.

09/841,664

Applicant(s)

GOLDMAN ET AL.

Examiner

Rosiland S. Rollins

Art Unit

3739

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 15 June 2005 under 37 CFR 1.312 has been considered, and has been:

a) ☒ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

LINDA C. M. DVORAK  
SUPERVISORY PATENT EXAMINER  
GROUP 3700

APR - 6 2006

Rosiland S Rollins  
Primary Examiner  
Art Unit: 3739

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. (703) 872-9306) on June 15, 2005

James J. [Signature]

6/15/2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/841,664  
Applicant : Goldman, et al.  
Filed : April 21, 2001  
Title: METHOD AND APPARATUS FOR APPLYING ENERGY TO BIOLOGICAL TISSUE INCLUDING THE USE OF TUMESCENT TISSUE COMPRESSION  
Art Unit : 3739  
Examiner : Rosiland Rollins  
Docket No.: : VNUS-57470  
Customer No. : 24201

PETITION TO CORRECT INVENTORSHIP UNDER 37 CFR § 1.48(b)

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests correction of the names of the inventors of the pending claims in this divisional application. In the preliminary amendment filed with this divisional application, original method claims 1-39 were canceled without prejudice. As a result, fewer than all of the currently named inventors are the actual inventors of the invention being claimed in the present patent application.

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Accordingly, only Arthur W. Zikorus should be named as the inventor. And originally named co-inventors, Mitchel P. Goldman, Robert A. Weiss, and James G. Chandler, should be deleted as inventors. Applicants have filed an Amendment concurrent herewith to delete the names of the inventors who are not inventors of the invention now being claimed.

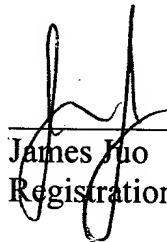
Please charge the requisite fee under 37 C.F.R. §1.17(i) in the amount of \$130.00 to Deposit Account No. 06-2425. Please charge any additional fees which may be required by this paper or credit any overpayment to Deposit Account No. 06-2425.

Should any question arise, kindly contact the undersigned.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:



James Luo

Registration No. 36,177

Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24201

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**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 6,969,388 B2  
APPLICATION NO.: 09/841,664  
ISSUE DATE : November 29, 2005  
INVENTOR(S) : Arthur W. Zikorus

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page, Item (75),  
delete "Mitchel P. Goldman, La Jolla, CA (US); Robert A. Weiss, Baltimore, MD (US);  
James G. Chandler, Boulder, CO (US)" and insert --Arthur W. Zikorus, San Jose, CA--.

Column 9,  
Line 43, delete "In a" and insert --A--.  
Line 51, delete "crosssectional" and insert --cross-sectional--.

Column 17,  
Line 25, delete "embodiments" and insert --embodiment--.

**MAILING ADDRESS OF SENDER:**

**James Juo  
Fulwider Patton LLP  
6060 Center Drive, 10<sup>th</sup> Floor  
Los Angeles, CA 90045**

This collection of information is required by 37 CFR 1.322 and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief of Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORM TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

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MAILED  
JAN 10 2006

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,969,388 B2  
APPLICATION NO.: 09/841,664  
ISSUE DATE : November 29, 2005  
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MAILING ADDRESS OF SENDER:

James Juo  
Fulwider Patton LLP  
6060 Center Drive, 10<sup>th</sup> Floor  
Los Angeles, CA 90045

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